

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2003-022812

01/18/2006

HON. PAUL A KATZ

CLERK OF THE COURT  
W. Bobrowski  
Deputy

FILED: 01/23/2006

JOSIE LEIMONE, et al.

ROBERT J HOMMEL

v.

AMERICAN HOME ASSURANCE CO, et al.

DENISE H TROY

**TRIAL MINUTE ENTRY**  
**DAY SIX**

9:41 a.m. Trial to a jury continues from January 17, 2006. Plaintiffs Josie and Louis Leimone are present and represented by counsel, Robert J. Hommel. Defendants are represented by counsel, Denise H. Troy and Timothy Thomason.

Court Reporter, Kim Hannan-Cox, is present.

The jury is present.

Pursuant to stipulation of counsel, Plaintiffs' exhibit numbers 4-9, 12-16 and 19-21 are received in evidence.

Defendants' case:

Sandy Grunow is sworn and testifies.

10:44 a.m. Court stands at recess.

11:06 a.m. Court reconvenes with respective parties and counsel present.

Court Reporter, Kim Hannan-Cox, is present.

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The jury is present.

Sandy Grunow resumes the stand and testifies further.

Plaintiffs' exhibit number 105 is offered and received in evidence.

The Court receives a juror question and same is discussed with counsel off the record and out of the hearing of the jury.

A written response to said question is given to the jury through the questioning of the witness.

The witness is excused.

Defendants rest.

11:46 a.m. The jury is excused while Court remains in session.

Discussion is held regarding the final jury instructions.

11:54 a.m. Court stands at recess.

1:34 p.m. Court reconvenes with respective parties and counsel present.

Court Reporter, Kim Hannan-Cox, is present.

The jury is not present.

The Court deems Defendants' Rule 50 motion renewed.

IT IS ORDERED denying Defendants' Rule 50 motion with respect to the bad faith claim.

IT IS FURTHER ORDERED denying Defendants' Rule 50 motion with respect to punitive damages.

Plaintiffs orally move for judgment as a matter of law with respect to bad faith and punitive damages.

IT IS ORDERED denying Plaintiffs' motion for judgment as a matter of law.

Court and counsel settle the final jury instructions.

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IT IS ORDERED directing a verdict on the loss of consortium claim.

2:32 p.m. Court stands at recess.

2:52 p.m. Court reconvenes with respective parties and counsel present.

Court Reporter, Kim Hannan-Cox, is present.

The jury is present.

The Final Jury Instructions, except for the closing instruction, are read.

3:07 p.m. Court stands at recess until 9:45 a.m. on January 19, 2006.

FILED: Final Jury Instructions; Jury Question.